

REMARKS

Claims 1-4 and 6-10 are pending. Claim 5 was previously cancelled.

Reconsideration of the application is requested.

§ 102 Rejections

Claims 1-4 and 6-10 are rejected under 35 USC § 102(b) as being anticipated by WO01/64805 (WO '805).

The acrylic release agent precursors of WO '805 are discussed in the background on the present application. (See page 1, line 21 – page 2, line 9.) As a patentable alternative to the precursors of WO '805, the claims of the present invention require an acrylic release agent precursor which contains “a poly(meth)acrylate ester having a group capable of being activated by ultraviolet radiation.” (See, e.g., independent claims 1 and 6.) Applicant respectfully submits that the Patent Office has failed to show how WO '805 describes a poly(meth)acrylate ester having a group capable of being activated by ultraviolet radiation.

For at least these reasons, the rejections of claims 1-4 and 6-10 under 35 USC § 102(b) as being anticipated by WO01/64805 is unwarranted and should be withdrawn.

In an effort to assist the Patent Office in the efficient prosecution of the pending application, Applicant provides the following comments regarding the non-obviousness of the present claims in view of WO '805.

Referring to Table 1 (page 12), Applicant discovered that by using a poly(meth)acrylate ester having a group capable of being activated by ultraviolet radiation, desired levels of peel force could be achieved at substantially lower UV doses. For example, compare the results of Examples 1-4, which include a poly(meth)acrylate ester having an ultraviolet active group derived from benzophenone, with the results for Comparative Example 1, which does not include such a material. (See also page 13, lines 1-23.) Surprisingly, Applicants discovered that merely adding benzophenone as a separate component provided no such benefit. (See, e.g., Comparative Examples 2 and 3 of Table 3 and lines 3-18 at page 16.)

Double Patenting

Claim 10 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 12 of U.S. Patent No. 6,660,354.

Claim 10 requires in part a poly(meth)acrylate ester that is derived from a monomer component containing an alkyl (meth)acrylate having a branched C₈₋₃₀ alkyl group, and a (meth)acrylate ester having a group capable of being activated by ultraviolet radiation. Claim 12 of U.S. Patent No. 6,660,354 contains no such limitation. For at least the reasons discussed above, claim 10 is patentably distinct from, and not rendered obvious by claim 12 of U.S. Patent No. 6,660,354. Therefore, Applicants request withdrawal of the double patenting rejection.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application is requested.

Applicant requests a telephone interview to more fully understand the examiners position and advance this case to issuance.

Respectfully submitted,

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